

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 3045, CAFTA Implementation.

Senate agreed to H. Con. Res. 225, Adjournment Resolution.

The House agreed to the Conference Report to accompany H.R. 2361, Department of the Interior, Environment, and Related Agencies Appropriations Act for FY 2006.

The House agreed to the Conference Report to accompany H.R. 6, Energy Policy Act of 2005.

The House agreed to the Conference Report to accompany H.R. 2985, Legislative Branch Appropriation Act for FY 2006.

The House agreed to H. Con. Res. 225, providing for a conditional recess of the House and a conditional recess or adjournment of the Senate.

## Senate

### Chamber Action

*Routine Proceedings, pages S9203–9321*

**Measures Introduced:** Thirty-two bills and seven resolutions were introduced, as follows: S. 1521–1552, S.J. Res. 22, S. Res. 218–223.

**Pages S9284–85**

#### Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006”. (S. Rept. No. 109–115)

S. 449, to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971. (S. Rept. No. 109–112)

S.J. Res. 15, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States. (S. Rept. No. 109–113)

S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, with amendments. (S. Rept. No. 109–114)

S. 103, to respond to the illegal production, distribution, and use of methamphetamine in the

United States, with an amendment in the nature of a substitute. **Pages S9281–82**

#### Measures Passed:

**National Sex Offender Database:** Committee on the Judiciary was discharged from further consideration of S. 792, to establish a National sex offender registration database, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S9245–46**

Frist (for Dorgan/Dole) Amendment No. 1643, in the nature of a substitute. **Page S9245**

**CAFTA Implementation:** By 56 yeas to 44 nays (Vote No. 209), Senate passed H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement, clearing the measure for the President. **Pages S9244–45, S9253–55**

**Honoring Tour de France Participants:** Senate agreed to S. Res. 222, honoring the victories of Team Discovery and American cyclists Lance Armstrong and George Hincapie in the 2005 Tour de France. **Page S9316**

**National Life Insurance Awareness Month:** Senate agreed to S. Res. 223, supporting the goals and ideals of “National Life Insurance Awareness Month”. **Pages S9316–17**

**National Citizens' Crime Prevention 25th Anniversary:** Committee on the Judiciary was discharged from further consideration of S. Res. 208, commemorating the 25th anniversary of the National Citizens' Crime Prevention Campaign, and the resolution was then agreed to. **Page S9317**

**Women Suffragists:** Senate passed H.J. Res. 59, expressing the sense of Congress with respect to women suffragists who fought for and won the right of women to vote in the United States, clearing the measure for the President. **Page S9317**

**Purple Heart:** Committee on Armed Services was discharged from further consideration of S. Con. Res. 39, to express the sense of Congress on the Purple Heart, and the concurrent resolution was then agreed to. **Pages S9317–18**

**Indian Arts and Crafts Amendments Act:** Senate passed S. 1375, to amend the Indian Arts and Crafts Act of 1990 to modify provisions relating to criminal proceedings and civil actions. **Page S9318**

**Psoriasis Awareness Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 206, designating August 2005 as "Psoriasis Awareness Month", and the resolution was then agreed to. **Pages S9318–19**

**Adjournment Resolution:** Senate agreed to H. Con. Res. 225, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S9249**

**Protection of Lawful Commerce in Arms Act:** Senate continued consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, taking action on the following amendments proposed thereto: **Pages S9217–44**

Adopted:

By 70 yeas to 30 nays (Vote No. 207), Reed (for Kohl) Amendment No. 1626, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun. **Pages S9217–22**

Rejected:

Levin Amendment No. 1623, to clarify the prohibition on certain civil liability actions. (By 62 yeas to 37 nays (Vote No. 208), Senate tabled the amendment.) **Pages S9222–30**

Pending:

Frist (for Craig) Modified Amendment No. 1605, to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act. **Page S9222**

Frist Modified Amendment No. 1606 (to Amendment No. 1605), to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act and National Firearms Act. **Page S9222**

A unanimous-consent-time agreement was reached providing for the consideration of certain amendments to be proposed to the bill; that the cloture vote be vitiated and following the disposition of the amendments, the pending Frist (for Craig) Modified Amendment No. 1605 (listed above) and Frist Modified Amendment No. 1606 (to Amendment No. 1605) be agreed to; the bill be read a third time, and the Senate then vote on final passage of the bill. **Page S9244**

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, July 29, 2005. **Page S9244**

**Energy Policy Act—Conference Report:** Senate began consideration of the conference report to accompany H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. **Pages S9255–73**

A unanimous-consent agreement was reached providing that Senator Feingold be recognized to raise a Congressional Budget Act point of order, and that Senator Domenici, or his designee, be immediately recognized in order to make a motion to waive the point of order; that if the point of order is waived, the Senate then immediately vote on adoption of the conference report. **Page S9246**

A unanimous-consent agreement was reached providing for further consideration of the conference report on Friday, July 29, 2005, with 30 minutes equally divided for closing remarks. **Page S9319**

**Department of the Interior Appropriations Conference Report—Agreement:** A unanimous-consent agreement was reached providing that on Friday, July 29, 2005, at a time determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006; that there be 20 minutes of debate equally divided between the majority and the minority, and that the Senate then vote on adoption of the conference report. **Page S9319**

**Legislative Branch Appropriations—Conference Report:** A unanimous-consent agreement was reached providing that on Friday, July 29, 2005, at a time determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30,

2006; that there be 20 minutes of debate equally divided between the majority and the minority, and that the Senate then vote on adoption of the conference report.

**Page S9319**

**Executive Reports of Committees:** Senate received the following executive report of a committee:

Report to accompany Protocol of Amendment to the International Convention on Simplification and Harmonization of Customs Procedures (Treaty Doc. 108–6) (Ex. Rept. 109–2).

**Page S9282**

**Nominations Confirmed:** Senate confirmed the following nominations:

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Bernice Phillips, of New York, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Rachel Brand, of Iowa, to be an Assistant Attorney General.

David R. Hill, of Missouri, to be General Counsel of the Department of Energy.

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

Marcus C. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency.

Henry Louis Johnson, of Mississippi, to be Assistant Secretary for Elementary and Secondary Education, Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Terrell Halaska, of the District of Columbia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

Donetta Davidson, of Colorado, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2007. (Prior to this action, Committee on Rules and Administration was discharged from further consideration.)

**Pages S9250–51, S9319–21**

**Nominations Received:** Senate received the following nominations:

John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering.

Emil W. Henry, Jr., of New York, to be an Assistant Secretary of the Treasury.

William E. Kovacic, of Virginia, to be a Federal Trade Commissioner for a term of seven years from September 26, 2004.

Kathryn Higgins, of South Dakota, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2009.

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2010.

George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency.

Barry F. Lowenkron, of Virginia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently and without additional compensation as Ambassador to Samoa.

Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands.

Christine M. Griffin, of Massachusetts, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2009.

James F. X. O’Gara, of Pennsylvania, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

Timothy Mark Burgess, of Alaska, to be United States District Judge for the District of Alaska.

Joseph Frank Bianco, of New York, to be United States District Judge for the Eastern District of New York.

Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Routine lists in the Air Force.

**Page S9250, S9319**

**Messages From the House:**

**Pages S9279–80**

**Measures Referred:**

**Page S9280**

**Measures Placed on Calendar:**

**Page S9280**

Enrolled Bills Presented:	Page S9280
Executive Communications:	Pages S9280–81
Executive Reports of Committees:	Pages S9282–84
Additional Cosponsors:	Pages S9285–86
Statements on Introduced Bills/Resolutions:	Pages S9286–S9309
Additional Statements:	Pages S9277–79
Amendments Submitted:	Pages S9309–14
Authority for Committees to Meet:	Pages S9314–15
Privilege of the Floor:	Page S9315
Record Votes: Three record votes were taken today. (Total—209)	Pages S9221, S9230, S9255

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 10:57 p.m. until 9 a.m., on Friday, July 29, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S9249 and S9319.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the nominations of Lieutenant General Norton A. Schwartz, USAF, for appointment to the grade of general and to be Commander, U.S. Transportation Command, who was introduced by Senator Stevens, Ronald M. Sega, of Colorado, to be Under Secretary of the Air Force, who was introduced by Senator Allard, Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary for Logistics and Materiel Readiness, and John G. Grimes, of Virginia, to be Assistant Secretary for Networks and Information Integration, both of the Department of Defense, Keith E. Eastin, of Texas, to be Assistant Secretary of the Army for Installations and Environment, and William Anderson, of Connecticut, to be Assistant Secretary of the Air Force for Installations, Environment and Logistics, after the nominees testified and answered questions in their own behalf.

### NOMINATIONS

*Committee on Armed Services:* Committee ordered favorably reported the nominations of Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary for International Security Affairs, Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary for Logistics and Materiel Readiness, both of the Department of Defense, Keith E. Eastin, of Texas, to be Assistant Secretary of the Army for Installations and Environment, Lieutenant General Norton A. Schwartz, USAF, for appointment to the grade of general and

to be Commander, U.S. Transportation Command, and 4,070 nominations in the Army, Navy, Air Force, and Marine Corps.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the following business items:

S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, with an amendment in the nature of a substitute;

H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program;

S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the \$1 coin, to create a new bullion coin;

S. 190, to address the regulation of secondary mortgage market enterprises, with an amendment in the nature of a substitute; and

The nominations of Christopher Cox, of California, Roel C. Campos, of Texas, and Annette L. Nazareth, of the District of Columbia, each to be a Member of the Securities and Exchange Commission, John C. Dugan, of Maryland, to be Comptroller of the Currency, and John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision, both of the Department of the Treasury, Martin J. Gruenberg, of Maryland, to be a Member and Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following bills:

S. 1516, to reauthorize Amtrak, with an amendment in the nature of a substitute; and

S. 1408, to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft, with an amendment in the nature of a substitute.

### COPYRIGHT PROTECTION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine issues related to MGM v. Grokster and the appropriate balance between copyright protection and communications technology innovation, focusing on balancing the protection of copyright and technological innovation, after receiving testimony from Adam M. Eisgrau, Flanagan Consulting, on behalf of P2P United, Inc. and the Electronic Frontier Foundation, and Mitch Bainwol, Recording Industry Association of America, both of Washington, DC; Gregory G.